

9-308. Order setting aside bail bond forfeiture.

*[For use with Rule 5-406 NMRA in the District Court,
Magistrate Court Rule 6-406 NMRA,
Metropolitan Court Rule 7-406 NMRA and
Municipal Court Rule 8-406 NMRA]*

STATE OF NEW MEXICO
[COUNTY OF _____]
[CITY OF _____]
_____ COURT

[STATE OF NEW MEXICO]
[COUNTY OF _____]
[CITY OF _____]

v.

No. _____

_____, Defendant

and

_____, (surety)

_____, (surety)

**ORDER SETTING ASIDE
BAIL BOND FORFEITURE**

A hearing having been held by the court upon the order to show cause why a judgment of default should not be entered on the defendant's bail bond:

The court finds that the defendant failed to appear as required.

The court further finds that the following good cause has been shown why the defendant failed to appear:

(check appropriate alternative)

[] the defendant was incarcerated in _____
located at _____.

[] the defendant was hospitalized at the time of the hearing in _____ hospital
located at _____.

[] the defendant failed to appear because: *(set forth other good cause)* _____

_____.

The court further finds that the defendant has been brought before this court and is now available for further proceedings in the above case.

The court further finds that a default judgment on the bond has not been entered in the above case.

IT IS ORDERED that the forfeiture previously entered by this court be and the same is hereby set aside.

Date: _____

Judge

[Adopted, effective, October 1, 1987.]